



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**To:** R. Schaeffer Oglesby, Chairman  
Real Estate Board  
Department of Professional and Occupational Regulation

David B. Rubinstein, Chairman  
Fair Housing Board  
Department of Professional and Occupational Regulation

Christine Martine, Executive Director  
Real Estate Board and Fair Housing Board  
Department of Professional and Occupational Regulation

**From:** R. Thomas Payne II  
Assistant Attorney General

**Date:** March 12, 2007

**Subject:** Letter of Assurance for Amendments to Regulations to Incorporate the Creation of the Fair Housing Board (18 VAC 135-50)

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I have reviewed the proposed amendments by the Real Estate Board and the Fair Housing Board to the Real Estate Board's fair housing regulations to incorporate the creation of the Fair Housing Board and to re-insert erroneously deleted language into section 220. These amendments were posted on the Virginia Regulatory Town Hall internet site on February 21, 2007. In my view, as counsel to the Boards, the Boards may promulgate these regulations pursuant to §§ 36-96.8 and 54.1-2344 of the *Code of Virginia*. The

regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.